

REMARKS

Claims 1–23 and 25–30 are now pending in the application. Of these pending claims, Claims 14, 15, and 30 are withdrawn from consideration, and Claims 1-13, 16-23, and 25-29 are rejected. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

PRIORITY DOCUMENT

Enclosed is a certified English translation of priority document DE 101 31 510.4 to perfect the 02 July 2001 date.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-13, 16-23, and 25-29 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Bregenzer et al. (GB patent application 2,065,011 A). Claim 4 is further rejected under 35 U.S.C. 103(a) as being unpatentable over Bregenzer in view of Bartels (U.S. Pat. Publ. No. 2002/0048498 A1). Claims 1-13, 16-23, and 25-29 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Schwiete (DE 19811532 A1).

The Examiner's attention is directed to amended independent Claims 1, 20 and 26 which contain the limitation that the shank "non-rotatably" extends from a recess defined within the support face. In the rejections of these claims under 35 U.S.C. § 103(a), over Bregenzer, the Office Action states that "it would be readily understood and appreciated by those skilled in the art, that a recess in the supporting face would

provide a temporary holding and alignment function for a separate shank prior to a joining process such as welding.” Applicants respectfully traverse this characterization. Applicants note that none of the references cited in the rejection teach a recess defined on a bearing surface as claimed. In this regard, Applicants note that the through aperture as noted in a subsequent rejection is not a “recess” for non-rotatably accepting the shank on the support face.

Applicants note that the weld studs as claimed are subject to various torsional, bending and tensile loading. Furthermore, the recess represents a thinned region within the base member. As such, Applicants respectfully contends that one skilled in the art would not be motivated to separate these components and form a fastener out of two pieces inasmuch as the weld joint location would be the subject of stress concentration.

The Applicants further direct the Examiner’s attention to amended Claims 16 and 20 which contain the limitation that the longitudinally extended shank is non-rotatably coupled to the recess. Further, the claim contains the limitation that the longitudinally extending shank extends from the support face. Applicants note that the Schwiete reference does not teach these limitations, but teaches a threaded fastener disposed within a weld nut. Applicants further note that the Schwiete reference fails to teach a “supporting face.” For these reasons, Applicants note that this reference simply does not teach a supporting face which is configured to support a component. As such, Applicants respectfully submit that the rejection under 35 U.S.C. § 103 over the Bregenzer and the Schwiete references is improper.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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